IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 21ST AUGUST 2006 / 30TH SRAVANA 1928

Bail Appl..No. 5130 of 2006

CRIME NO. 78/2006 OF PANOR POLICE STATION

PETITIONERS/ACCUSED 2 & 3:

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1. K.P. USHA, W/O. CHANDRAN,
   AGED 37 YEARS, SHEHANA NIVAS, P.O. CHAMPAD,
   THALASSERY, KANNUR.

2. VENUGOPALAN, S/O. KUNHIRAMAN,
   SHREYAS, PANOOR, THALASSERY, KANNUR.

BY ADV. SRI.P.V.SURENDRANATH
SRI.V.A.ABDUL JALEEL

RESPONDENTS:

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/08/2006, THE COURT ON 21/08/2006 PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5130/2006

DATED THIS THE 21ST DAY OF AUGUST, 2006

O R D E R

The petitioners are accused 2 and 3, in crime No.78/2006 of Panor police station. The offence alleged against them and another are under Sections 415, 418, 420, 463, 468, 470 and 471 IPC read with Section 34 IPC. Hence this application under Section 438 Cr.P.C.

2. I heard the arguments advanced by the learned counsel for the petitioner as well as the learned Public Prosecutor. Considering the materials on record, I direct the petitioners to surrender before the Investigating Officer, who is investigating crime No.78/2006 of Panoor Police Station, and the Investigation Officer shall interrogate the petitioners, as per the law, considering that the first petitioner is a woman.

3. In the event of the arrest of the petitioners, they shall be released on bail, on each petitioner, executing a bond for Rs.25,000/-, with two solvent

sureties, each for the like sum, to the satisfaction of the Investigating Officer, arresting them.

4. I make it clear that if the Investigating Officer is of the opinion, during the interrogation, that the petitioners are to be interrogated in police custody, he may move an application before the Court below, for getting the petitioners in custody, for which this order will not stand in the way.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs